

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

DYLAN GIBBONS,

Plaintiff,

v.

12-CV-1605

S. PRINDLE,

FJS

Defendants.

SPECIAL VERDICT FORM

1. Did plaintiff prove by a preponderance of the evidence that, on January 18, 2012, defendant Prindle used excessive force against him in violation of the Eighth Amendment of the United States Constitution?

Yes _____ No _____

If you answered "No" with respect to the defendant in Question 1, then the Foreperson should sign and date this form and notify the Marshall that a unanimous verdict has been reached. If you answered "Yes" to Question 1, then proceed to Question 2.

2. If in response to Question 1 you found that, on January 18, 2012, the defendant used excessive force against plaintiff, has plaintiff proven by a preponderance of the evidence that this violation proximately caused an injury to him?

Yes _____ No _____

If you answered "No" to Question 2, then the Foreperson should sign and date this form and notify the Marshall that a unanimous verdict has been reached. If you answered "Yes" with respect to Question 2, then proceed to Question 3.

3. What sum of money do you find that plaintiff has proven by a preponderance of the evidence would fairly compensate him for any injury that he has actually suffered by the

actions of any of the defendant on January 18, 2012? (If you find that plaintiff's Eighth Amendment rights were violated, but that he did not sustain any actual or compensatory damages as a result, then you should award the plaintiff nominal damages in the amount of \$1.)

Date: _____

Foreperson